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Letter dated 18 December 2006 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

The Counter-Terrorism Committee has received the attached fifth report of the Sudan submitted pursuant to paragraph 6 of resolution 1373 (2001) (see annex). I would be grateful if you could arrange for the present letter and its annex to be circulated as a document of the Security Council.

(*Signed*) Ellen Margrethe **Løj**
Chairman
Security Council Committee established pursuant to
resolution 1373 (2001) concerning counter-terrorism

07-20110 (E) 250107 260107

Annex

Letter dated 18 December 2006 from the Permanent Representative of the Sudan to the United Nations addressed to the Chairman of the Counter-Terrorism Committee

I have the honour to enclose herewith the fifth report of the Government of the Sudan submitted pursuant to paragraph 6 of Security Council resolution 1373 (2001) (see enclosure).

I should be grateful if you would have the text of the present letter and its enclosure circulated as a document of the Security Council.

(*Signed*) Abdalmahmood **Abdalhaleem**
Permanent Representative

Enclosure

[Original: Arabic]

In the name of Allah, the Compassionate, the Merciful

Efforts of the Sudan to combat terrorism during the period from June 2005 to October 2006

1. Introduction

The Sudan continued its efforts in the sphere of counter-terrorism during this period. It was an active member of all the international and regional organizations, participating in and committed to the resolutions on counter-terrorism, and hosted a visit by the President of the Intergovernmental Authority for Development (IGAD) Capacity Building Programme against Terrorism (ICPAT). Moreover, during this significant period the Sudan also hosted and chaired the second East African Regional Counter-Terrorism Conference.

2. Security and stability

(a) The Ministry of the Interior inaugurated a new system for the registration of civilians throughout the country, in cooperation with a specialized company, using electronic networks for the purpose of maintaining a record of all Sudanese citizens.

(b) The General Directorate of Passports intensified its campaign against foreigners contravening migration laws. In this regard, one of the American journalists who entered the Sudan without obtaining entry visas was arrested, as was the Slovakian consultant. They came before the court and were tried. The President of the Republic issued a pardon for them.

(c) The Ministry of the Interior continued to update the lists of banned individuals through the General Directorate of Passports.

(d) The anti-smuggling unit continued to monitor the borders in order to control infiltration by foreigners into the Sudan. The considerable efforts expended in this regard have led to the arrest of a number of foreigners from a neighbouring country on their way to Libya overland.

(e) The Ministry of the Interior also participated in demarcation of the borders between the Sudan and Ethiopia.

(f) Because of the current economic circumstances of the country, efforts continued to find funding for the new, costly passport. The Ministry of the Interior is seeking external funding for printing the new passport.

(g) In the context of Arab cooperation in the sphere of extradition and in implementation of the Riyadh Convention on Judicial Cooperation, the Sudan has extradited a number of criminals to their countries, for criminal offences.

(h) The Sudan was the subject of a terrorist attack in the town of Hamrat al-Sheikh which targeted civilians and schools. Numerous citizens were killed and many key buildings were destroyed. Criminal charges were brought against the perpetrators in accordance with the Counter-Terrorism Act.

(i) The Ministry of the Interior participated in numerous conferences on terrorism at the regional and international levels.

(j) The security bodies held a large number of meetings with their counterparts in order to exchange relevant experiences and information. Sudanese counter-terrorism experts presented papers at all meetings held during the period under review.

3. Legal matters

The Minister of Justice formed a Committee to review and amend the Counter-Terrorism Act in 2002. The Committee held a number of meetings and concluded that some articles of the Counter-Terrorism Act required amendments. The consensus was that it would be preferable to submit a new draft law in 2006 rather than make amendments to the Act.

After careful study of the 12 international agreements ratified by the Sudan and of elements of Security Council resolution 1373 (2001), with the assistance of experts from the United Nations Office on Drugs and Crime in Vienna, which offers technical assistance to States in drafting and amending legislation, the Committee concluded the following:

(a) It is necessary to amend article 2, which defines acts of terrorism, by strengthening the formulation so that it is not interpreted as a violation of fundamental human rights;

(b) The law should be expanded to include procedural issues such as the power to investigate and the allocation of responsibilities for counter-terrorism;

(c) Articles should be introduced to give effect to the binding provisions contained in the international counter-terrorism instruments, such as extradition, and to provide for mechanisms for the freezing and confiscation of terrorist assets;

(d) Some articles of the Act which are not required specifically by the international instruments, namely articles relating to environmental crimes and the hijacking of river and land vehicles should be deleted;

(e) The technical terms used in the international instruments should be adhered to in order to avoid linguistic discrepancies, which impede the scope of application of the international instruments, and to facilitate international cooperation;

(f) Certain acts which are criminalized in some international agreements (11 articles) but not criminalized under the Act should be criminalized;

(g) The binding principles of the jurisdictional immunities stipulated in all the international instruments on counter-terrorism should be compiled in a single article of the Act;

(h) At present, the Ministry is taking executive measures for the enactment of the draft law through the legislative institutions concerned.

4. Economic issues (financing of terrorism)

(a) The Bank of the Sudan remains abreast of global requirements in the sphere of action to combat money-laundering and the financing of terrorism and

continues to provide the commercial banks operating in the Sudan with the global ban lists issued by the Security Council and the United States Department of the Treasury with the objective of terminating banking operations with banned persons and parties;

(b) The Bank of the Sudan also issued a circular on action to combat money-laundering and the financing of terrorism by which it first of all ordered closer scrutiny of customer accounts and notification of suspicious transactions. The circular also requested banks to scrutinize the transactions of occasional customers, in particular currency conversions and, in particular, transactions over a specified amount;

(c) The circular also indicated the need for due diligence with regard to the accounts of politicians and politically exposed persons.

The Bank of the Sudan accepted the World Bank's offer to provide technical assistance in combating money-laundering and the financing of terrorism, in the following areas:

(a) Strategic planning;

(b) Development of legislation in order to keep pace with global requirements;

(c) Development of monitoring systems;

(d) Training of operatives;

(e) The World Bank training programmes were utilized through the organization of a workshop for law enforcement authorities by experts from the World Bank. Two employees from the Bank of the Sudan were also sent to Egypt for training and to draw lessons from Egypt's experience in combating money-laundering and the financing of terrorism. A delegation that included representatives from the Bank of the Sudan, the Criminal Investigation Department, unit responsible for economic security, Customs Office and the Office of the Attorney General participated in a training for trainers workshop held in Egypt last April;

(f) With regard to the development of legislation, in June 2007 World Bank experts will be assisting in the formulation of laws and measures designed to combat money-laundering and the financing of terrorism in order to keep pace with global standards.

5. Conclusion

The Sudan has undertaken a broad range of activities in the sphere of counter-terrorism during the preceding period, and all authorities concerned have expended efforts in order to harmonize legislation and bring it into line with the agreements ratified by the Sudan. Efforts continue in all areas and efforts will be made to strengthen ties with regional and other organizations for the promotion of organizations working in the sphere of counter-terrorism.